

TO INDICT FIVE IN BAFF CASE IS HOPE NOW

Grand Jury Is Expected to
Hand Down Bills
To-morrow.

SEVEN WITNESSES TO BE EXAMINED

Deleahanty in Court Says
"All Will Be Known by
Wednesday."

TWO COHENS HELD ON NEW CHARGES

Three Men in Plot May Be Used
as in Becker Trial and
Escape Punishment.

Five indictments in the Baff case are
confidently expected by the District
Attorney's office to-morrow, when the
grand jury will close its inquiry into
the circumstances surrounding the
death of the murdered poultryman.

Both of the gunmen charged with
being the actual slayers will be in-
dicted, unless the plans of Mr. Whit-
man and his staff miscarry. Three ad-
ditional indictments, charging murder
in the first degree, are looked for
against alleged instigators.

The conspirators who hatched the
murder plot are said to number six.

Officials familiar with the recent de-
velopments hinted yesterday that the
case was considered good policy. In the public
interest, to permit certain principals
to escape punishment in order, with
the assistance of other witnesses who
can furnish the necessary corroborative
evidence, to bring the remaining mem-
bers of the murder gang to justice.

Problem as in Becker Case.

One, closely identified with District
Attorney Charles S. Whitman, said:
"The Baff case presents practically
the same problem as did the Becker
case. Convictions can only be obtained
by bringing pressure to bear upon
those who have actual knowledge of
the murder plot to tell what they know.
We have chosen this course because it
is the sole means of clearing up the
case and convicting those most culpable."

Developments yesterday followed
swiftly upon the heels of the arrange-
ment of Joseph and Jacob Cohen,
brothers of Harry Cohen, alias "Kid
Griff", who were arrested last week
and subsequently indicted for assault
in the first degree in connection with
an attack last September upon Allen
T. Pearson, representative of certain
independent live poultry shipping in-
terests.

The two prisoners were taken before
Judge Malone, in the Court of General
Sessions, where both pleaded not
guilty. State Senator Alfred J. Gil-
christ, of Brooklyn, moved for a reduc-
tion in the amount of bail fixed—
\$25,000 in each case.

Everything Known Wednesday.

In opposing the motion, Assistant
District Attorney James A. Deleahanty
said:
"By Wednesday everything will be
known, and if by that time these de-
fendants are not held on a more
serious charge, I will explain the whole
situation."

Judge Malone said that he would
give the Cohens one week in which to
make any necessary motions, and re-
served until the afternoon his decision
in regard to the reduction of the bail.
Senator Gilchrist remarked that it
was apparent that the bail was meant
to be prohibitive and that it was con-
tradictory to established precedent in
such cases. To this Mr. Deleahanty re-
plied:

"The amount of bail is by no means
unprecedented, and under no circum-
stances can this be regarded as an or-
dinary case. There is a possibility of
a much more serious charge growing
out of these arrests. It may involve
the work of gangsters who could be
killed as murderers for a small amount
of money."

"I cannot divulge the facts in my
possession. In a few more days there
will be no question of bail."

"Don't Crucify My Clients."

"I object to the crucifixion of my
clients before you have anything to
show against them," exclaimed Senator
Gilchrist.

Mr. Deleahanty replied that it was not
a matter of crucifixion, but rather the
necessity for looking after the inter-
ests of the state.

Subsequently, before adjourning at
noon, the grand jury returned two su-
perseding indictments against the two
Cohen brothers, charging them with
assault in the second degree. Mr. Deleahanty
explained that the original in-
dictments had been found to be legally
defective and the new indictments took
precedence over them.

James Moore, who, with the two

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Price Movement

of Commodities.

A Daily Feature of The Tribune.

To-day Page 13.

VANDERBILT RACES DEATH Makes Record Time from New York to Los Angeles.

[By Telegraph to The Tribune.]
Los Angeles, Dec. 21.—Alfred G.
Vanderbilt, of New York, will probably
win his race across the continent with
death, for when he arrived here to-day
in his special car on record time, at
4:40, he received a message that his
old-time friend, Frederick Martin Da-
niels, lying critically ill in Santa Bar-
bara, was "no worse." Mr. Vanderbilt
received word last Thursday in New
York of his friend's illness, and at
once made arrangements for a quick
dash across the continent.

He was lucky in choosing the Union
Pacific to cross the divide, for no great
amount of snow was encountered. His
private car Wayfarer was attached to
the Salt Lake Limited at Salt Lake
City, and after arrival here was
switched to the Southern Pacific Coast
Line Flyer for the north, and left at
8:10 p. m.
He was due to reach Santa Barbara
at 8 p. m.

ALFRED HENRY LEWIS ILL Noted Writer Said To Be in Critical Condition.

Alfred Henry Lewis, the writer, is
seriously ill at his home, 457 West
148th st. He is said to have developed
intestinal trouble. He had been in
poor health for the last month, but
his condition became serious last
Wednesday. Dr. William E. Cuff, of
237 West 100th st., the family physi-
cian, and Dr. Max Einhorn, the spe-
cialist, have been in close attendance
upon Mr. Lewis since then.

Irving Lewis, a brother, who is man-
aging editor of "The Morning Tele-
graph," said last night that the mem-
bers of the family were very much
worried over his brother's condition.
He said his brother went to Lakewood
about a month ago, seeking relief
from a bronchial trouble, and came
back apparently much benefited, until
the present trouble appeared a few
days ago.

HAMMOND SHELL NEW WAR FIEND

Rends, Burns, Poisons, and
Europe Seeks to Buy It
from Young Inventor.

Gloucester, Mass., Dec. 21.—John
Hays Hammond, Jr., twenty-six-year-
old son of the wealthy mining man and
diplomat, has just completed the in-
vention of a fiendishly powerful pro-
jectile for which he says he has bids
from several of the warring nations.

This invention, according to the
vague description given by Hammond,
is of a projectile containing an alu-
minothermic mixture which, five sec-
onds after the projectile leaves a siege
gun, turns the steel contents into a
white-hot mixture of 5,400 degrees
Fahrenheit, and when the projectile
strikes the liquid will set fire to what-
ever inflammable material it encoun-
ters.

To prevent extinguishing of the
fire, there is also in the projectile a
separate chamber walling in hydro-
cyanic acid, whose deadly fumes will
discourage efforts to approach the
vicinity in which the projectile is en-
gaged. Hammond said the United States
government is experimenting with the
projectile at Sandy Hook, and that he
is in negotiation with some of the Eu-
ropean nations now at war.

"This missile," he said, "is designed
for use in siege guns, and is intended
as a powerful aid in razing buildings
of besieged towns and also in destroy-
ing dirigible balloons."

Mr. Hammond has been engaged for
several years in this sort of work. He
is the inventor of a torpedo, used in
coast defence, which can be exploded
by wireless operated from shore. Re-
cords in Washington show that he has
applied for scores of patents. He is a
graduate of the Yale Sheffield Scien-
tific School and unmarried. His en-
deavors of recent years have attracted
the attention of this government.

BUSINESS MEN "NEWSIES"

Detroit Merchants Recall Start
in Life—Raise \$2,200.

Detroit, Dec. 21.—Business and
professional men, all of whom once were
newsboys, sold papers on the city
streets to-day. Nearly \$2,200 was col-
lected and the fund will be devoted to
Christmas charity. More than seventy
well known citizens piled their trade,
"fought" for choice corners and for
choice customers.
The fund-raising was a widow's mite to
checks for \$50 and \$100.

"WILD OATS" NOW IN DIVORCE SUIT

Actress Sues Picture Film Man
Who Wanted Change to Tire
of Late Hours.

Mrs. Florence Kendrick Leavitt, for-
merly an actress, who recently aban-
doned her suit for separation against
George F. Leavitt, a manufacturer, yester-
day changed the action to one of
divorce.

The record in the separation suit in-
volved Miss Catherine Thompson, a
cloak model, and her sister, Max King,
a cabaret singer, whom Leavitt met in
his student days at Cornell. According
to Mrs. Leavitt, her husband did not
deny his infatuation for Miss Thompson,
and even suggested a probationary
term of six months in which he was
to be permitted to "sow his wild oats."

But Mrs. Leavitt says she refused to
share of her husband, and for a time
she went back to the stage. She ap-
peared in "Too Many Cooks," but found
"the atmosphere of the stage" not to
be her thing.

The Leavitts were married in 1910
in Philadelphia. Their troubles seemed
to have started when Leavitt received
from his father, George O. Leavitt, a
woollen merchant, \$14,000 for invest-
ment in the Ruby Film Company.
Mrs. Leavitt says that when she de-
clared it was women, not pictures, that
kept him out late, he demanded her
wedding presents, choked her until she
fainted in their apartment at 223 West
125th st., and, stepping over her body,
left her.

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NAVAL BILL TO CARRY MILLION FOR AIRCRAFT

House Sub-Committee Ig-
nores Daniels's Doubts
as to Service Needs.

PROVIDES FOR SPECIFIC SUM

May Also Enlarge Secre-
tary's Programme for
New War Vessels.

[From The Tribune Bureau.]

Washington, Dec. 21.—Disregarding
the recommendation of Secretary
Daniels, a sub-committee of the House
Naval Affairs Committee, which is
framing the naval appropriation bill,
decided to-day to include in the bill a
separate item authorizing the expendi-
ture by the navy of \$1,000,000 for
aeroplanes. This amount is substan-
tially that asked for by Captain Bristol,
the expert in charge of the aviation
fleet, and is five times the amount that
has ever been expended in a single year
by the Navy Department for this pur-
pose.

When Secretary Daniels was before
the committee recently he declined to
recommend a specific appropriation for
aeroplanes, but advocated the usual
method of including "aeroplanes" in the
lump sum appropriation covering the
various objects desired by the Bureau
of Steam Engineering. The Secretary
said he was uncertain what amount
could or should be spent for aeroplanes,
as the department was still "experi-
menting to obtain a suitable type," and
he doubted that a large appropriation
was necessary.

Secretary Daniels was asked if he
would recommend the amount request-
ed by Captain Bristol, which was \$1,-
187,000, but Mr. Daniels suggested that
the aircraft appropriation should be
handled through the Bureau of Steam
Engineering. Under this method the de-
partment uses whatever amount it
deems necessary, and relatively small
sums have been expended for aircraft.

The use to which aeroplanes have
been put in the European war and testi-
mony that the United States has only
twenty-three machines for both army
and navy were the controlling factors
in the sub-committee's decision to over-
turn the recommendations of Secretary
Daniels. The full committee is expect-
ed to agree to the specific appropriation.

Captain Bristol pointed out to the
committee that this country could not
spend fully \$1,000,000 to advantage for
aeroplanes.

The general naval increase—battles-
hips, submarines and destroyers—is
handled by the full Naval Affairs Com-
mittee, and the sub-committee makes
no recommendations regarding these
items, which are to be considered after
the holidays. The liberal allowance for
aeroplanes, however, indicates a dis-
position by House members not to ad-
here too closely to the estimates of
Secretary Daniels, and it is thought
that the appropriations for submarines
and destroyers may be stretched above
the conservative demands of Mr. Daniels.

ARMY AVIATOR DROWNED AT SEA

Lieutenant F. J. Gerstner Meets
Death When His Machine
Falls Into Ocean.

Oceanside, Cal., Dec. 21.—Lieutenant
Frederick J. Gerstner, observer in one
of the six United States army scout
aeroplanes that started to-day on a
flight from San Diego to Los Angeles,
was drowned in the sea ten miles north
of here. Captain L. R. Muller, pilot of
the wrecked machine, was rescued by
Captain L. W. Patterson, another army
aviator, whose aeroplane had been
wrecked near where Lieutenant Gerstner
met his death. Captain Muller was
badly bruised and exhausted. Lieuten-
ant Gerstner's body was recovered.

Four of the six machines that en-
tered the flight were brought to the
earth near here. The other machine
reached Los Angeles in safety. Stormy
weather and bad air conditions were
held responsible for the accidents.
The aeroplanes were to have made
the flight back from Los Angeles to-
morrow, to report the number and dis-
position of troops manœuvring in the
vicinity of San Diego. The contest was
for a trophy.

Washington, Dec. 21.—Lieutenant
Frederick J. Gerstner, drowned to-day
near Oceanside, was the eighteenth
aviator to give his life in the interest
of government aviation since Lieuten-
ant Selfridge fell to his death at Fort
Myer, Va., in 1908, testing the first
aeroplane for the army. Fourteen
army officers, two naval officers and two
civilian instructors make up the toll.

Lieutenant Gerstner was only twenty-
three years old. He was born in
Michigan and was appointed to the
Military Academy in 1909. On gradu-
ating in 1913 he was assigned to the
10th Cavalry, but recently he was as-
signed to the aviation school at San
Diego, Cal.

GREEK SOME GUNMAN

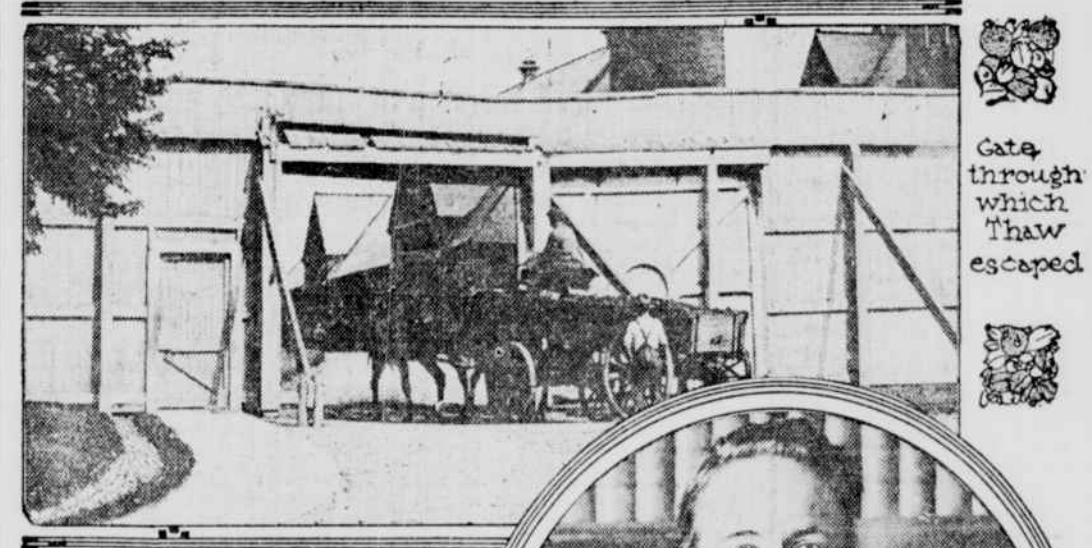
Nonchalantly He Confesses to
Sixteen Murders, Police Say.

[By Telegraph to The Tribune.]

Lowell, Mass., Dec. 21.—"I have
killed fifteen men and this is the six-
teenth," declared Sberos Sarandakos
to Captain Atkinson, according to the
police, previous to his arraignment in
court to-day on a charge of slaying
his son-in-law, Nicholas Paikramis,
who had been away from his bride for
four years. Sarandakos was held with-
out bail. Mrs. Athena Sarandakos, the
defendant's wife, was held in \$10,000.

Sarandakos was formerly a soldier
in the Grecian army. The police say
he took pride in recounting the number
of his victims. Fifteen of the men are
said to have been slain in Greece.

Supreme Court Orders Thaw Back to New York for Trial



William Travers Jerome

Stanford White's Slayer
Loses All Points Raised
in Fight for Freedom.

MOTHER SHOCKED BY THE DECISION

New Steps Likely, Says
Olmsted—Matteawan,
Comments Jerome.

New York State's long fight for pos-
session of Harry Kendall Thaw, who
fled Matteawan asylum August 17, 1913,
ended yesterday, when the United
States Supreme Court unanimously
held that Stanford White's slayer was
a fugitive from justice, that the pro-
tection of the federal courts should be
withdrawn, and once again in the cus-
tody of New Hampshire he should be
returned to New York.

"We regard it as too clear for
lengthy discussion," said the opinion,
"that Thaw should be delivered up at
once."

At once in this case means at least
thirty days unless course, for both
sides join in asking for action earlier.
No one seriously expects that the
Thaw millions will allow yesterday's
apparent knockout to end their efforts
to thwart justice as interpreted by the
laws of New York State. What action
will be taken, however, is a subject for
speculation.

Of the principals only Thaw himself
and Philander C. Knox, former Secre-
tary of State, one of his attorneys, had
nothing to say. The blow falls principally
upon the devoted mother, Mrs.
William Thaw, who has never lost hope
that one day her son would be free.
"I cannot believe it," she said over
and over again when informed at her
home in Pittsburgh that the highest
court in the land had ruled against her
heartfelt desires. She immediately
called Harry in Manchester, N. H., and
talked with him over the long distance
telephone. Later, when she was some-
what calmer, she announced emphatically
that the fight had not yet ended.

On the other hand, William A. Stone,
ex-Governor of Pennsylvania, who ap-
peared for Thaw, said that he was
satisfied with the decision. He said
that the decision was a vindication of
the law, and that he was confident that
the Thaw millions would not allow the
decision to stand.

The agent will be Sheriff Hornbeck,
of Poughkeepsie. Matteawan is in
Dutchess county, where he is the
sheriff. He has been on several un-
successful trips for Thaw, having been
to Canada when the fugitive was across
the border and having been in New
Hampshire before.

Noses Grossman and Samson Selig.

CONVICTS' SANTA A RAT

Rodent, with Bell Tied to It,
Caused Visions of Kris Kringle

Caldwell, N. J., Dec. 21.—Some of
the guests in the Essex County Peniten-
tiary here have been hearing things for
the last few days. The noise was like
the sound that is supposed to presage
the visit of Santa Claus as he comes
driving up in his sleigh drawn by bell-
bedecked reindeer, and some of the con-
victs had visions of a recrudescence of
their youth. To-day, however, the
cause of the noise was revealed, when a
rat with a small bell fastened to it was
seen scampering across the floor of one
of the rooms.

It appears that rodents had become
numerous around the penitentiary re-
cently. Instead of using poison, George
Watts, one of the deputy wardens, sug-
gested that bells be wired about the
rooms and that they be released. Watts
finally succeeded in tying three bells
to an old masquerade ball dress to
the necks of some rats.

FINERY GONE, WOULD DIE

Girl, Unnerved by Loss of
Christmas Clothes, Tries Gas.

After gazing for days over the loss
of her Christmas finery, which was
stolen by burglars, Anna Preifer, sev-

GERMANS NORTH OF VISTULA ARE DRIVEN BACK INTO PRUSSIA

Lose Control of Great Waterway, but Still
Hammer at Fifty-Mile Russian
Line South of River.

BULGARIA NEUTRAL, POWERS DECREE

London Believes That This Foreshadows the Ap-
proaching Participation of Greece and
Roumania in the War.

The German army which invaded Northern Poland has been driven
back across the frontier into Prussia, where it holds a line twenty-five
miles long, between Neidenburg and Lautenburg. They have lost entire
control of the northern bank of the Vistula. South of the river the
Russians occupy a strongly entrenched line from the junction of the Vi-
stula and Bzura rivers, on the right bank of the latter, southward for fifty
miles. The Germans are attacking fiercely in the region of Sochaczew,
thirty miles west of Warsaw.

Following a guarantee of Bulgarian neutrality, London believes that
Rumania and Greece will shortly enter the war.

An order from General Joffre, according to Berlin, says the time has
come to drive the Germans from France. Fierce fighting follows all along
the line, in which the Allies, reinforced, report they are slowly forcing
the enemy back.

British ships have bombarded the Belgian coast, and it is reported
that the Germans have evacuated Middelkerke, five and a half miles south-
west of Ostend.

GEN. VON HERINGEN PRAISES HIS FOES

But Calls Kitchener's Re-
cruits Inadequate, Can't
Improve Armies.

SAYS THAT BRITISH VIOLATE RED CROSS

Old Fighter Also Speaks Gen-
erously of Sir John French
and General Joffre.

[From a Staff Correspondent of The Tribune.]

German Front in France, Dec. 21.—I
have just spent three days with Gen-
eral von Heringen's army in the field
and have seen nothing half so inter-
esting as the fine old patriarch who is
its commander in chief. General von
Heringen, "the victor of Saarburg," a
former Minister of War, though prob-
ably less known to American news-
paper readers than the "featured" gen-
erals, is one of the grand old men of
the German army and a figure to be
reckoned with.

He is one of the fighters—big,
bulky and tremendously in earnest;
also in possession of a keen sense of
humor that functions in spite of the
sternness of the times. The back of
his massive head is sparsely settled
with silver hair, and his white beard
has been pruned to half its peace
strength. General von Heringen, like
all the other German generals with
whom The Tribune correspondent
spoke, did not hesitate a second to
praise his English opponents.

"The English first line troops are
splendid soldiers, experienced and very
tough, especially on the defensive.
There would be no credit in beating
them if they were not," he said, making
it clear that he referred only to the
English regulars.

The conversation turning on Kitch-
ener's recruits, he said significantly:
"You cannot improve armies. Eng-
land cannot hope to accomplish in a
few months what took Germany a hun-
dred years to build up."

Never Feared the Scotch.

Coming back to the English regulars,
he told the following anecdote:
"At one point we used a mine-thrower
(mine thrower) against one of their
trenches. These mortars go off with a
frightful noise, calculated to shake
the courage of the stoutest. After the
tenth shot our men advanced with a
British groggy; but—will you believe
it?—those tough Scotsmen crawled out
of their trenches and actually attempt-
ed a counter bayonet charge. The
French—they also fight bravely."

The old fighter spoke generously of
Field Marshal Sir John French's lead-
ership—a bit wistfully, as if regretting
that the British had all been sent north
and he could no longer cross swords
with the English commander in chief.
The Bavarians begged, you know, to be
sent against the English in the north.
He did not forget General Joffre either,
who, he said, was "doing his hard job
in a creditable, soldierly fashion," ably
seconded by his "brilliant junior, Gen-
eral Castelnau."

But he was not handing out bouquets
exclusively; he had also a few hard
words for the English, or, rather, for
what he characterized as certain fea-
tures of their methods of warfare. (One
was for the alleged misuse of the Red
Cross flag.)

"We had taken their trenches under
heavy artillery fire," he said, "when
suddenly the Red Cross flag was hoist-
ed from every one of their trenches.
Our people stopped firing and tele-
phoned to ask what they should do. I
telephoned back: 'Start firing again!'
It was a flagrant misuse of the Red
Cross flag; you can't hoist it whenever
you are tired of fighting and want to
go home. I dare say they sent out
stories that I was a barbarian."

French and English at Odds.

Another rap was for the alleged use
of dum-dum bullets. I saw the dum-
dum look in the old general's eye, and

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